



November 29, 2006

**Subject: The Land Development Ordinance Committee**

The Land Development Ordinance Committee (LDOC) met Wednesday, November 29, 2006, at 4 p.m., in the second floor Seminar Room located at The Plaza, 100 W. Innes Street, to discuss rewriting Salisbury's ordinance code. In attendance were Jake Alexander, Karen Alexander, George Busby, Bill Burgin (Co-chair), John Casey, Steve Fisher, Mark Lewis (Co-chair), Brian Miller, Rodney Queen, Jeff Smith, and Bill Wagoner.

**Absent**—Phil Conrad, Johnny Safrit, Victor Wallace and Dee Dee Wright

**Staff Present**—Janet Gapen, Dan Mikkelson, Preston Mitchell, Diana Moghrabi, Joe Morris, David Phillips, Lynn Raker, Patrick Ritchie, and John Vest

**Public Present**—Jay Dees, John Leatherman, and Norde Wilson

**The meeting was called to order** with Mark Lewis (Co-chair) presiding. The minutes of the November 15, 2006, meeting were accepted as published.

**HOUSEKEEPING**

Joe Morris provided an updated schedule for future meetings. The next meeting is scheduled for Wednesday, December 6, from 4–6 p.m. in the Plaza Seminar room.

**CHAPTER SUMMARIES**

A list of B-1 proposed conversions was provided to the committee.

Preston is working on cross definitions for Chapter 3, and when they are complete he will email them to the committee. He provided Chapter 4 revisions dated November 29, 2006.

In an effort to move things forward, the Monday committee will address language that is too precise and tends to slow down committee discussion.

There was great discussion about page 4-4, draft date November 29, 2006, (F) *Architectural and Siting Compatibility Standards*. Keep in mind that the zoning administrator needs to have something measurable.

Section 2b, "When a minimum of two" will be changed to "predominant" and will now read "To match or exceed predominant element of the comparison homes." The second bullet will be eliminated. The intent is not to introduce anything lower. In part C on page 4-5, the word perpendicular will be changed to parallel. Staff will work on Section E at their Monday meeting.

Karen Alexander spoke from the architect's point of view. It is important to go with the majority and not the minority for infill standards. Reach up to protect the neighborhood. The point is to create acceptable housing. "McMansions" can be inappropriate. Should there be a min/max square footage requirement? Jake Alexander believed this was worth some energy and staff will work on it at their Monday meeting.

The Chapter 4 review was now complete and Preston said he was still working on George Busby's comments on Chapter 5. Patrick Ritchie was able to do a quick, concise review of Chapter 6 using the October 5 summary review format. The Chapter 6 revision date was October 29, 2006.

Portions of Chapter 6 have already been adopted by City Council. Rowan County controls erosion (6.3) Dan read aloud the purpose and intent, and 6.2, 6.4 were found to be OK. 6.5 comes from the model ordinance provided by the state--much of this chapter is "boiler plate," and Patrick filled in Salisbury's information. Patrick Ritchie is the staff contact regarding information about NPDES, stormwater quality, and retention issues.

## **PUBLIC**

Jay Dees spoke on behalf of John Leatherman who is concerned about the zoning conversion on his property. He argued that his property on Jake Alexander Boulevard near Mooresville Road is not connected to a residential district and not offering services to a residential area. He requested his current B-1 zoning be converted to Hwy Business; with RMX he believes he will lose uses.

Staff argued that page 2-7 of the use matrix proves there will be no losses. (Medical is a by right use). Mr. Leatherman requested an updated use matrix. Dan Mikkelson said the committee attempted to make direct conversions based on the ground use for a reduction of non-conformities. The City does not want to violate an implied promise to the neighborhood that the property be office/institutional rather than heavy commercial. He believes Mr. Leatherman would have more uses under the new code.

The meeting was adjourned at 6:00 p.m.

DM